



DISCIPLINE: A TOOL FOR GRIEVENCE MANAGEMENT

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Abstract

Discipline is very essential for healthy industrial atmosphere and also for achieving the desired organizational goals. A productive acceptable performance from the operational level subordinates in the organization depends upon their willingness to carry out the instructions and orders from the executives and also how they abide by the rules of conduct which facilitates them to maintain better standard at work. The term 'discipline' can be interpreted in varied ways. It connotes a state of order in an organization. It also means compliance with the proper appreciation of the hierarchical superior – subordinate relationship. The concept of discipline emerges in a work situation from the interaction of manager and employees in an organization. The unique formal and informal rules and regulations formulated govern the relationship between the manager and employees of the organization. The above stated statement justifies that the formal rules and regulations are codified in the company's manual or standing order. The informal rules, on the other hand, are evolved from the convection and culture in the organization.

While working together, some employees feel uncomfortable, aggrieved or may be disappointed about certain managerial decisions and policies relating to the service conditions. There can be a feeling of ignorance altogether. With this ignored approach, employees in the organization remain unhappy and dissatisfied with working conditions. If this dissatisfaction of employees goes unattended, the increased irritation of the employees may cause unfavorable attitude towards supervisor, colleagues and the organization and ultimately a disturbed relationship is maintained in an organization. To a large extent, the approach will be governed by several variables such as style of management, size of enterprise, level of education of the workforce, technology of the plant and the extent of unionization of the workforce.

The grievance procedure is one of the most important instruments available for employees to express their dissatisfaction. It is also available to the management to keep a check pertaining to relevant diagnostic data which facilitates better understanding regarding the state of organizations health.

Keywords – Discipline, Compliance, Codified, Unionization, Grievance Procedure.

Introduction

The term 'grievance' has been defined by different researchers in different ways, Mondy and Noe defined grievance as – employees' dissatisfaction or feeling of personal injustice relating to his or her employment. Jucius defines grievance – as any discontent or dissatisfaction, whether expressed or not and whether valid or not, arising out of anything connected with the company which an employee thinks, believes, or even feels, is unfair, unjust and equitable". Thus, the above definitions describe the grievances as any dissatisfaction of an employee which is based on his or her perception about the situation within an organization. The term grievance varies from company to company, which would



include any discontent, which affects the organizational environment. As such, grievance may be real or even imaginary, written or oral, legitimate or illegitimate. In case of real grievance, the grievance is genuine which may be due to the behavior of supervisor or employments terms and conditions that have been ignored or violated by the management. In case of imaginary grievance, the grievance is not genuine which may be due to the employees his or her own perception that they have been somewhat neglected or ignored by the supervisors, or their rights have been violated by the management. There are formal and informal grievances when an employee put the cause of dis satisfaction in a written form and present it before appropriate authority. This is known as formal or written grievance. On the other hand, when an employee goes on talking about the dissatisfaction, this type of grievance is called as informal or oral grievance. In case of legitimate grievance, the employees contractual right with respect to the terms and conditions of employment and spirit of collective bargaining are violated. On the other hand, dissatisfaction over supervisory behaviour, peer's ignorance or any other situation can cause grievance in employees called as illegitimate grievance. From the above-mentioned definitions relating to the different types of grievances can be known. But sometimes grievances can be interchangeably used with complaints. Several executives of real world distinguish between the words complaints with that of grievance. A complaint is a written or oral dissatisfaction, brought to the attention of the supervisors.

While differentiating complaints from grievance, Flippo defines a complaint as a discontent or dissatisfaction, which has not, as yet, assumed great significance to the individual. It can be converted into grievance when an individual feel that an injustice has been caused to him. Thus, any type of grievance is not in the interest of an employee as well as organization.

Causes of Grievance

There are several causes, which leads to employee grievance in an organization.

Management practices

- The behaviour of supervisor, peer's group that cause grievance.
- The improper division of work among employees lead to grievance.
- The negligence of one's efforts towards to the organization.
- The autocratic organizational environment can cause grievance.
- The implementation of personal policies is not intended policies, it will lead to grievance.
- If task objective is not clearly defined to employee, then also the employees get frustrated and ultimately grievance arises.
- Matters such as employee compensation, seniority, overtime and assignment of personnel to shifts are illustrations of ambiguities leading to grievance.
- Poor communication between the management and employees is another cause of grievance.

Union practices

In firms where there are multiplications of unions, many of whom may have political affiliation; there is constant jostling and lobbying for numerical strength and support. Where the unions are formed on the basis of specialized craft but are general unions, the pressure to survive is great and, hence there is a need to gain the support of workers. Under certain circumstances, the grievance machinery could be an important vehicle for them to show their undeniable concern of workers welfare.



The fact that a union can provide a voice for their grievance is an important factor in motivating employees to join a union. Realising that members expect action and only active unions can generate membership, unions some time incline to encourage the filling of grievance in order to demonstrate the advantage of union membership. It makes union popular that is the force to solve out the grievance with the management.

Individual Personality Traits

Sometimes mental tension, caused perhaps by ill health also contributes to grievance. Some are basically predisposed to grumble and find fault with every little matter, seeing and looking out only for faults. On the other hand, there are employees who are willing to overlook minor issues and discomforts and get on with the job. A study by Sulkin and Pranis reveals that poor performer tend to use grievance procedure more of them than employees who are high performance with the union activists, highly educated workers, workers with high incidence of absenteeism, and worker in lower job classification tend to file more grievances than other employees.

Management of Grievances

Steps for management of grievances

It has been widely recognised that there should be appropriate procedure through which the grievance of workers may be submitted and settled. The main aim to solve grievance with fairness and justice, so that workers dissatisfaction about various aspects can be properly examined and solved out. For this grievance machinery is an urgent need to manage. Grievance resolution machinery permits employees to express complaints without affecting their job, and encourages and facilitates the settlement of misunderstanding between the management and labour. The existence of grievance resolution machinery builds confidence in employees to express their discontent, enhance their morale, and satisfy them also protects them from the injustice, proper and effective communication between management and workers facilitates review and correction. Thus, the presence of grievance machinery explains the organizations health, projects the shop floor culture and shows the leadership quality.

STEPS 1 – Receiving and defining the nature of dissatisfaction

The supervisor should receive the grievance in a way which itself is satisfying to the individual. It involves his leadership style. It has been that employee centered supervisors cause fewer grievances than production centered supervisors.

STEP 2 – Getting the facts

Efforts should be made to separate facts from the opinions and impressions. Facts can be obtained easily if proper records are maintained by supervisors regarding specific grievances and individual attendance, rating and suggestions.

STEP 3 – Analysing the facts and reaching a decision

The supervisor must analyse the facts carefully to reach a specific decision, so that grievance can be solved out fruitfully.

STEP 4 – Applying the answer

The supervisor has to effectively communicate the decisions to the individuals even if they are adverse in nature. The answer to the aggrieved individuals must be based on legitimate ground.



STEP 5 – Follow up

The following of the grievance should be made to determine as to whether or not clash of interest has been resolved. In situation where follow up indicates that the case is not resolved satisfactorily, the former four steps should be repeated.

The frequent errors in processing of grievance break the whole process. The management should attempt to avoid these errors. Indeed, effective handling of grievance facilitates the integration of interests.

Approaches, Principles And Procedure For Disciplinary Action To Resolve Grievances –

1. Judicial Approach

It is commonly followed in India. The present-day manager has to handle a variety of disciplinary issues. His right to hire and dismiss is curbed to a great extent, especially when unionized employees are concerned. The complexity is increasing in the arbitrary managerial function due to the intervention by the government, by providing legislation for governing terms of employment. The need for legislation arose as India faced with a chronic problem of unemployment and illiteracy among industrial labour. In order to secure security of jobs, the government has tried to ensure protection to industrial labour from likely misuse of managerial power to hire and fire.

2. The Human Relation Approach

It calls for treating an employee as a human being and considers the totality of his personality and behaviour while correcting faults that contribute to indiscipline. His total personality is considered, as his interaction with his colleagues, his family background, etc and then appropriate punishment for misconduct is awarded.

3. The Human Resource Approach

The approach calls for treating every employee as a resource and an asset to the organization before punishing the workers, the cause for indiscipline has to be ascertained. An analysis of the cause is made, to find out whether indiscipline is due to the failure of his training and motivating system or the individuals own failure to meet the requirements, and accordingly corrections are made.

4. The group Discipline Approach

The management in this approach sets and conveys well established norms and tries to involve the group of employees. The group as a whole control indiscipline and awards appropriate punishments. The trade unions may also act as a disciplinary agency.

5. The Leadership Approach

In this case, every supervisor or manager has to guide, control, train, develop, lead a group and administer the rules of discipline.

Principles for disciplinary action to resolve grievances

Despite, best efforts, acts of indiscipline occur and it becomes necessary to take a disciplinary action. While taking disciplinary action the following principles must be considered.

- Principles of natural justice – This principle must guide all enquires and actions. This means that no person should be appointed to conducting an enquiring who himself interested in the outcome either as an aggrieved party or because he is hostile to the person proceeded against, for any other reason.



- Principles of impartiality or consistency – There should be no marked difference in the action taken under identical situations where all the factors associated to situations are like.
- Principle of impersonality – The disciplinary authority should not encourage a person who is failing to fulfil his duty. He should be impartial to everyone.
- Principle of reasonable opportunity to the offender to defend himself – Article 311 of the Constitution of India says: “No person employed by the union or a state government shall be dismissed or remove until he has been a reasonable opportunity showing cause against the action proposed to be taken in regard to him”.

Procedure for disciplinary action to resolve grievances –

1) Preliminary Investigation –

First of all, preliminary enquiry should be held to find out the misconduct behaviour or situation.

2) Issue of charge sheet –

Once a misconduct or indiscipline is identified, the authority should proceed to issue charge sheet to the employee. Charge sheet is merely a notice of the charge and provides the employee an opportunity to explain his conduct. Therefore, charge sheet is generally called as show case notice, in the charge sheet each charge should be clearly defined and specified.

3) Suspension of pending order

In case of charge is graved with a suspension, order may be given to the employee along with the charge sheet. According to the industrial employment (Standing order) Act, 1946, the suspended worker is to be paid a subsistence allowance equal to one – half of the wages for the first 90 days of suspensions and three – fourth of the wages for the remaining period of suspension if the delay in the completion of disciplinary proceedings is not due to the workers conduct.

4) Notice of enquiry

In case the worker admits the charge, in his reply to the charge sheet, without the qualifications, the employer can go ahead in awarding the pinishment without further enquiry. But if the worker does not admit the charge and the charge merits major penalty, the employer must hold enquiry to investigate into the charge. Proper and sufficient advance notice should ne given to the worker of the enquiry.

5) Conduct of Inquiry

The inquiry should be conducted by an impartial and responsible officer. He should proceed in a proper manner and examine witness. Fair opportunity should be given to the worker to cross – examine the management witnesses.

6) Recording the findings

The enquiry officer must record all the conclusion and findings. As far as possible he should refrain from recommending punishment and leave it to the decision of the appropriate authority.

7) Awarding punishment

The management should decide the punishment on the basis of findings of an enquiry, past record of **worker and gravity of the misconduct.**



8) Communicating the punishment

The letter of communication should contain reference to the charge sheet, the enquiry and the findings. The date from which the punishment is to be effective also should be mentioned.

Conclusion

The various aspects relating to the complex topic such as Discipline in terms of positive and negative dimensions of discipline have been examined in this paper. However, in a particular situation, it is the manager, who has to apply his mind, taking into consideration the context and the environment and then decide on the punishment. The manager's prerogative is tempered justice, the holding of enquiry following the complete procedure is a very important aspect in the entire process. Enforcement of discipline and the award of a punishment is very much the responsibility of the manager. Therefore, the manager has to aware of a variety of approaches and the use of the appropriate one at the appropriate time.

While describing the nature of grievances, attempt has been made to define grievance and indicates its causes and symptoms. The major determinant of grievance includes the management practices, personal factors and personality traits of an employees and union strategies and practices. Management literature provides various techniques to manage grievances effectively. There is arrangement for model grievance procedure under to code of discipline.

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